

## **Remarks**

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding amendments and the following remarks.

In the subject application, claims 1-4, 6, 8, 9, 28, 29 and 31-49 are pending, of which claims 1, 35, 36, and 49 are independent claims, and claims 2-4, 6, 8, 9, 28, 29, 31-34, and 37-48 are dependent. Applicants have amended claims 1, 34, 35 and 38. Applicants respectfully submit that no new matter is believed to have been added as a result of these amendments.

### ***Claim Rejections – 35 U.S.C. § 101***

Claims 1-4, 6, 8-9, 28-29, and 31-35 stand rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. More specifically, the Examiner has rejected claims 1-4, 6, 8-9, 28-29, and 31-35 because the Examiner believes that the methods of claims 1-4, 6, 8-9, 28-29, and 31-35: (1) are not tied to another statutory class, such as a machine or apparatus, *or* (2) do not transform the underlying subject matter (such as an article or materials) to a different state or thing. Applicants respectfully traverse this rejection.

Applicants have amended independent claim 1 such that the method of claim 1: (1) is tied to another statutory class, such as a machine or apparatus, and (2) transforms the underlying subject matter (such as an article or materials) to a different state or thing. Applicants' amended independent claim 1 is provided below for the Examiner's convenience:

1. (Currently Amended) A computer-implemented method comprising:  
~~connecting~~ providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, the connected source systems being connected via ~~with~~ base system connectors using a markup language;

configuring the information systems of the at least two enterprises to operate as a single logical physically distributed information system across the information systems of the at least two enterprises using processes, modules, application logic, and framework stored in a memory that conform to an architecture supported by a platform including a portal through which data is requested and received by clients;

generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with templates interacting with metadata to format information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic; and

populating, via at least one processor, said individually configurable user interface with monitoring information and features regarding a corporate integration on said individually configurable user interface, comprising making a deal selection choice, planning an integration, executing a transaction, executing an integration, and making a post-integration assessment.

As shown above, Applicants have amended independent claim 1 to further more clearly indicate how each limitation is tied to a particular machine or apparatus. For example, claim 1 now recites, in part, "providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, the connected source systems being connected via base system connectors using a markup language." Support for this amendment may be found, for example, in paragraph [0068] of the subject application, which is provided below for the Examiner's convenience.

[0068] The portal 506, enterprise management system 512 and enterprise base systems 516 can reside on one or more programmable machines, which communicate over the network 504 or one or more communication busses. In embodiments, the base systems 516 reside in multiple servers connected to the network 504, and the portal 506 and enterprise management system 512 reside in a server connected to a public network (not shown). Thus, the architecture 500 can include customized, web-based, cross-functional applications, and a user can access and manage enterprise programs and resources using these customized web-based, cross-functional applications from anywhere that access to the public network is available. *Subject application, para. [0068]. Emphasis Added.*

Further, Applicants claim 1 also states, in part, "configuring the information systems of the at least two enterprises to operate as a single logical physically distributed information system across the information systems of the at least two enterprises using processes, modules, application logic, and framework stored in a memory that conform to an architecture supported by a platform including a portal through which data is requested and received by clients."

Applicants claim 1 also states, in part, "generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with templates interacting with metadata to format information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic." Applicants' *claim 1. Emphasis Added*. Support for this amendment may be found throughout the subject application, for example, in paras. [0053-0054, 0068, etc.].

Applicants claim 1 also states, in part, "populating, via at least one processor, said individually configurable user interface with monitoring information and features regarding a corporate integration on said individually configurable user interface, comprising making a deal selection choice, planning an integration, executing a transaction, executing an integration, and making a post-integration assessment." Support for this amendment may be found for example, in Figure 2 and the associated paragraphs of the application, including paras. [0053-0054], which are provided below for the Examiner's convenience.

[0053] As shown in FIG. 1, a system 10 includes a processor 12 and a memory 14. Memory 14 includes an operating system 16, and instructions 18, that when executed by the processor 12, perform an exemplary restructuring integration process 100, described below. A specific restructuring process, referred to as a merger and acquisition (M&A), will be used as an example throughout this description. However, the process 100 can be applied to most corporate change or restructuring activities, such as spin-offs, department mergers and splits, and so forth. Memory 14 also

includes common restructuring business processes modules 200, application logic 300, and a core framework of services 400 that support the restructuring integration process 100. The system 10 includes a link to a storage device 20 and an input/output device 22. The input/output device 22 can include a graphical user interface (GUI) 24 for display to a user 26.

[0054] The system 10 includes a link to a network 28. Network 28 links the system 10 to other systems 30 within a single entity and to systems 32 in one or more other entities. Systems 30, 32, generally referred to as clients or source systems, access data through a portal 34. Systems 10, 30, 32 are designed to act as a single logical physically distributed information system representing multiple enterprise information systems of organizations residing in the systems 30, 32. Information is exchanged between the system 10 and systems 30, 32 through the portal 34 and through user interfaces (UIs) of an architecture, described below. *Subject application, paras. [0053-0054]. Emphasis Added.*

Applicants respectfully submit that newly amended claim 1 is directed towards patentable subject matter. Applicants respectfully submit that this claim is tied to a number of particular machines. Moreover, it is Applicants' understanding that the source systems, which were presented previously are also particular machines. These devices are shown in Figure 1 of the application and are denoted by reference numerals 30 and 32. Applicants also would like to note that the arguments made in the previous responses are still maintained. However, Applicants have amended the claims in the present response only in an effort to advance prosecution.

Therefore, Applicants respectfully submit that the method of amended independent claim 1 is directed towards statutory subject matter because (1) it is tied to a machine or apparatus, and (2) it transforms the underlying subject matter, i.e. data and metadata, into a different state or thing (See, previous responses). Further, since claims 2-4, 6, 8-9, 28-29, and 31-34 depend, either directly or indirectly, from claim 1, Applicants respectfully submit that those claims are direct toward statutory subject matter as well. Additionally, Applicants have amended independent claim 35 to include similar limitations to those added to amended independent claim

1. Therefore Applicants respectfully submit that claim 35 is also directed toward statutory subject matter. Accordingly, withdrawal of the rejections under 35 U.S.C. § 101 is respectfully requested.

***Claim Rejections – 35 U.S.C. § 103***

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lineberry et al. (U.S. Patent Application Publication No. 2002/0169649, hereinafter "Lineberry") in view of Marpe et al. (U.S. Patent Application Publication No. 2002/0184191, hereinafter "Marpe"). Applicants respectfully traverse this rejection.

First, Applicants respectfully submit that Lineberry and Marpe, whether viewed separately or in combination, do not disclose each and every limitation of Applicants' newly amended independent claim 1. Applicants' newly amended independent claim 1 was provided above for the Examiner's convenience. As mentioned above, Applicants' newly amended claim 1 includes the following limitations: (i) "providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, the connected source systems being connected via base system connectors using a markup language," (ii) "configuring the information systems of the at least two enterprises to operate as a single logical physically distributed information system across the information systems of the at least two enterprises using processes, modules, application logic, and framework stored in a memory that conform to an architecture supported by a platform including a portal through which data is requested and received by clients" and (iii) "generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with templates interacting with metadata to format

information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic."

Applicants respectfully submit that Lineberry and Marpe do not disclose each and every limitation *as recited* in Applicants' newly amended claim 1. Applicants note that in order for the references cited to render newly amended claim 1 unpatentable under 35 U.S.C. 103, the references cited must disclose each and every limitation in their *entirety*.

Applicants note the Examiner's statements on Pages 5-7 of the Official Action. However, Applicants respectfully disagree with the Examiner's characterizations. Specifically, on page 5 of the Official Action, the Examiner seems to suggest that Lineberry teaches "providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, the connected source systems being connected via base system connectors using a markup language." The Examiner points to paragraphs [0018, 0042-0045, 0053, and 0078]. However, Applicants are unable to find this limitation in these paragraphs or even any mention of a markup language. Applicants respectfully request clarification regarding this rejection.

Further, in the previous response, Applicants added the following limitation (it has been amended in this rejection to address 35 U.S.C. 101 rejections): "generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with templates interacting with metadata to format information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic." *Applicants' newly amended claim 1. Emphasis Added.*

Here, the Examiner appears to rely upon paragraphs [0045, 0058-0059] of Lineberry, as well as claim 13 and the associated text. Again, Applicants respectfully disagree with this characterization of Lineberry. These passages of Lineberry state:

[0045] Referring now specifically to the drawings, FIG. 1 is a flowchart 2 illustrating process steps for generating an acquisition integration project plan. A person familiar with computer software code can utilize flowchart 2 in combination with various user interfaces (described below), to develop a computer program that is executable by computer systems (shown in FIGS. 2 and 3) which are described herein. In one example, a system based acquisition integration tool provides a framework for generating such a plan. Specifically, after a user logs into the system, the system prompts the user, e.g., via a display, to select 4 an integration area from an acquisition integration main user interface. Examples of pre-defined integration areas include commercial, operational, human resources, legal, and financial. Of course, fewer or more integration areas can be designated within the system. Once the user selects 4 an integration area, the system then displays 6 a set of selectable, pre-defined integration events including deliverables checklists for the selected integration area. Each integration event is listed under a respective heading, and each heading representing a phase in the acquisition process. Examples of headings include pre due diligence, due diligence, post sign/pre close, post close and transition to operations. In addition, deliverables are listed under each heading. The list of deliverables can be used to determine whether all tasks associated with a particular integration event have been completed. The acquisition integration plan is formed 8 based on the user-selected integration areas, and the plan includes, for each integration area and each phase of acquisition, integration events and deliverables. *Lineberry, para. [0045]*.

[0058] As shown on user interface 110, an example pre-defined set of integration areas that a user can select from, includes, under the Commercial heading, sales and marketing, E-commerce financial services, including customer service and collections, and sourcing. Under an Operational heading, pre-defined integration areas include product, services, risk, six sigma and systems/information technology. The term six sigma, as used herein, refers to a quality initiative for reducing the number of defects to a quantified goal (i.e., six sigma). The product integration areas includes integration areas for manufacturing, engineering, logistics, and environmental health and safety (EHS). *Lineberry, para. [0058]*.

[0059] A human resources integration area heading includes, in the

embodiment shown, pre-defined integration areas for communication, culture, and strategy, including organization development, labor relations, employee benefits, compensation, employment practices, and employee services implementation (payroll benefits, expatriate administration and travel and living expenses). *Lineberry, para. [0059]*.

13. A computer according to claim 9 further programmed to store the acquisition integration project plan in at least one of a spreadsheet format and a web page format. *Lineberry, claim 13*.

Applicants have reviewed the above passages and are unable to locate any mention of metadata, let alone in the manner as currently claimed by Applicants. Further, and more specifically, not only are Applicants unable to locate any mention of metadata, Applicants are also unable to locate metadata describing roles, work sets, and personalization information and interacting with the application logic, as required by Applicants newly amended claim 1.

The Examiner also relies upon Marpe as teaching various aspects of the "generating" limitation described above. Specifically, the Examiner points to paragraphs [0080, 0548, 0612, and 0696]. These passages are also provided below for the Examiner's convenience.

[0080] Thus, through the development of frameworks for solutions to various problems and programming tasks, significant reductions in the design and development effort for software can be achieved. A preferred embodiment of the invention utilizes HyperText Markup Language (HTML) to implement documents on the Internet together with a general-purpose secure communication protocol for a transport medium between the client and a company. HTTP or other protocols could be readily substituted for HTML without undue experimentation. Information on these products is available in T. Berners-Lee, D. Connolly, "RFC 1866: Hypertext Markup Language--2.0" (November 1995); and R. Fielding, H. Frystyk, T. Berners-Lee, J. Gettys and J. C. Mogul, "Hypertext Transfer Protocol--HTTP/1.1:HTTP Working Group Internet Draft" (May 2, 1996). HTML is a simple data format used to create hypertext documents that are portable from one platform to another. HTML documents are SGML documents with generic semantics that are appropriate for representing information from a wide range of domains. HTML has been in use by the World-Wide Web global information initiative since 1990. HTML is an application of



ISO Standard 8879; 1986 Information Processing Text and Office Systems; Standard Generalized Markup Language (SGML). *Marpe, para. [0080]*.

[0548] The Planning Guide application is divided into 2 distinct screens. Each screen will display more specific information depending on where the user has navigated within the application. Such details include best practices selected from the group consisting of establishing an integration leadership team, making and documenting initial decisions, developing guiding principles and success factors, reviewing a current operating model, identifying integration planning projects, confirming a quick view target operating model, formalizing a stakeholder analysis, confirming a value of the merger or acquisition, establishing governance protocols, developing an initial customer retention approach, developing an initial employee redeployment and retention approach, developing an operations stability approach, identifying stakeholder communication requirements, creating initial announcements, creating a short-term communication plan, confirming model selection criteria, performing mapping, defining a target environment, determining gaps, defining impacts, defining and estimating work, iterating, prioritizing defined work, defining an integration sequence, determining delivery phases and dates, developing a human resources approach, developing an operations approach, and developing a technology approach. *Marpe, para. [0580]*.

[0612] FIG. 18 is an illustration of a screen upon selection of one of the items thereon. Once an Activity 1610 is clicked and a drop down menu 1800 is displayed, the user may choose to view the corresponding `Activity Overview` 1802 or the corresponding `Tasks` 1804. The exemplary screen shot of FIG. 18 shows the `Develop Guiding Principles and Success Factors` Activity drop down menu. Once a drop down box is displayed, each menu item 1802,1804 is highlighted as mouseovers occur. *Marpe, para. [0612]*.

[0696] FIG. 22 is a flow chart depicting several activities useful for building the integration framework in accordance with activity 2102 of FIG. 21. In a first phase, guiding principles and success factors are developed in activity 2200. The current operating model is reviewed in activity 2202 while integration planning projects are identified in activity 2204. *Marpe, para. [0696]*.

Again, Applicants have reviewed the above passages and are unable to locate any mention of metadata, let alone in the manner as currently claimed by Applicants. Further, and more specifically, not only are Applicants unable to locate any mention of metadata, Applicants

are also unable to locate metadata describing roles, work sets, and personalization information and interacting with the application logic, as required by Applicants newly amended claim 1.

As a result, Applicants respectfully submit that neither Lineberry nor Marpe, either alone or in combination disclose each and every limitation of Applicants' newly amended claim 1.

As such, Applicants respectfully submit that claim 1 of the subject application is in condition for allowance. Further, claims 35, 36, and 49 to include limitations similar to that of claim 1. Therefore, Applicants respectfully submit that claims 35, 36, and 49 are in condition for allowance as well. Since the remaining claims depend, either directly or indirectly, from claims 1, 35, 36, or 49, Applicants respectfully submit that those claims are also in condition for allowance. Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

Further, Applicants respectfully submit that the Examiner has failed to show where each and every limitation of the dependent claims is disclosed by the references. For example, Applicants note that dependent claims 3 and 38 state, in part, “executive cockpit monitoring interface further comprises a team roster, a task list, a shared folder, a meeting scheduler, an issue list, a decision list, an integration status, and a tracker tool”. On pages 10-11 of the Official Action the Examiner states that all of these limitations are taught by Lineberry. However, upon reviewing the rejection set forth by the Examiner, Applicants are unable to locate where Lineberry teaches each and every limitation of Applicants’ claims 3 and 38. Applicants respectfully request further clarification regarding this rejection.

Moreover, Applicants’ claims 4 and 39 states, in part, “said training management interface further comprises a training rollout management sub-module to request, schedule, and monitor execution of training sessions, and a platform to facilitate training by functioning as a class repository, a master training scheduler, an electronic mailer, and as a training archive” and

“wherein the master training scheduler further comprises a department-specific scheduling service, a department-specific planning service, a role-specific planning service, and a role-specific scheduling service.” On pages 11-13 of the Official Action the Examiner states that all of these limitations are taught by Lineberry. However, upon reviewing the rejection set forth by the Examiner, Applicants are unable to locate where Lineberry teaches each and every limitation of Applicants’ claims 4 and 39. Again, Applicants respectfully request further clarification regarding this rejection.

Having overcome all of the outstanding rejections, Applicants respectfully submit that the subject application is now in condition for allowance. Applicants believe that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

In light of the above remarks, Applicants respectfully assert that the subject application is in condition for allowance. While Applicants respectfully assert that the subject application is now in condition for allowance, the Examiner is invited to telephone Applicant's attorney (617-854-1460) to facilitate prosecution of this application. Please apply any charges or credits to deposit account 50-2324.

Respectfully submitted,

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